

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:20 CV 105 MR WCM

JOHN DOE,

Plaintiff,

V.

LEES-MCRAE COLLEGE,  
*a North Carolina Corporation,*

Defendant.

---

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**ORDER**

This matter is before the Court on Plaintiff's Motion to File Declaration and Exhibits Under Seal ("Motion to Seal" Doc. 36).

On April 2, 2021, Plaintiff filed a Motion for Preliminary Injunction and a supporting brief. Docs. 31, 32. At the same time, Plaintiff filed his Motion to Seal, which requests that the exhibits in support of his Motion for Preliminary Injunction (consisting of a declaration and associated materials) be placed under seal.

The Motion to Seal states that this action is being pursued in the name of John Doe due to Plaintiff's "age, desire and need to remain anonymous" and that the documents that are the subject of the Motion to Seal contain information that disclose Plaintiff's identity.

However, Plaintiff's Motion does not reflect consultation with opposing counsel as required by Local Civil Rule 7.1.

More substantively, supporting statutes, case law, or other authorities, as required by Local Civil Rule 6.1, have not been provided, either in the Motion itself or in a separate brief. For example, the Motion to Seal does not cite to authorities supporting Plaintiff's position that he should be allowed to proceed anonymously. See e.g., Doe v. Pub. Citizen, 749 F.3d 246, 273 (4th Cir. 2014) (stating that the Federal Rules of Civil Procedure require that the identities of the parties to a case be disclosed but noting the Fourth Circuit has recognized that in exceptional circumstances, compelling concerns relating to personal privacy or confidentiality may warrant some degree of anonymity in judicial proceedings, including use of a pseudonym).

Accordingly, Plaintiff's Motion to File Declaration and Exhibits Under Seal (Doc. 36) will be **DENIED WITHOUT PREJUDICE**. Plaintiff may renew his request on or before April 16, 2021. In the absence of a renewed Motion by that date, Plaintiff's filing (Doc. 33) will be unsealed.

It is so ordered.

Signed: April 9, 2021



W. Carleton Metcalf  
United States Magistrate Judge

